

Notice of Allowability

Application No.

10/670,749

Examiner

Eric A. Gates

Applicant(s)

PARKER, KEVIN P.

Art Unit

3722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's after final amendment filed 22 October 2007.
2. ☒ The allowed claim(s) is/are 1-11, 13, 14, 19-21, and 23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Monica S. Carter
MONICA CARTER
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. This office action is in response to Applicant's after final amendment filed on 22 October 2007.

Allowable Subject Matter

2. Claims 1-11, 13, 14, 19-21, and 23 are allowed. Claims 1, 4, 13, and 19 are the independent claims.

3. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is U.S. Patent 4,511,298 to Jones, which was applied to the claims in the office action mailed 27 August 2007, European Patent Application 0 404 751 A1 to Lolli, which was applied to the claims in the office action mailed 25 January 2007, and U.S. Patent 4,800,110 to DuCorday, which was applied to the claims in the office action mailed 21 February 2006. Suffice it to say, the patents to Jones, Lolli, and DuCorday do not disclose "a first section of pressure sensitive adhesive disposed along a free first edge of the first cover section" and "a second section of pressure sensitive adhesive disposed on a surface of said flap member" as claimed in independent claim 1, or "subsequent to the folding, securing the spine element to the second cover section, with the second longitudinal edge being disposed intermediate the second cover section and the flap member" as claimed in independent claim 4, or "providing a hardcover assembly including first and second relatively rigid hardcover sections connected by an intermediate spine segment, with the first

hardcover section including a covered first pressure sensitive adhesive layer” and “positioning the bound stack and the first hardcover section so that the bound stack and the exposed first portion of the first pressure sensitive adhesive layer come into contact with one another” as claimed in independent claim 13, or “providing a hardcover assembly including first and second relatively rigid hardcover sections connected by an intermediate spine segment, with the first hardcover section including a covered first pressure sensitive adhesive layer” and “positioning the bound stack and the first hardcover section so that the bound stack comes into contact with the exposed first portion of the first pressure sensitive adhesive layer” as claimed in independent claim 19, and as such does not anticipate the instant invention as disclosed in independent claims 1, 4, 13, and 19.

Furthermore, there is no combinable teaching in the prior art of record that would reasonably motivate one having ordinary skill in the art to so modify the teachings of Jones, Lolli, and DuCorday, and thus, for at least the foregoing reasoning, the prior art of record does not render obvious the present invention as set forth in independent claims 1, 4, 13, and 19.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric A. Gates whose telephone number is (571) 272-5498. The examiner can normally be reached on Mon-Thurs 8:45 - 6:15.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on (571) 272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



EAG
5 November 2007



MONICA CARTER
SUPERVISORY PATENT EXAMINER